

Remarks

Regarding Claim Rejections - 35 USC # 112

Claims 1, 5, 7, 15, 16 are requested to be re-instated from rejection on the following basis:

The applicant agrees that the joining means is indefinite. Hence the applicant has deleted the references in claim 1 to joining means.

In order to satisfy the previous necessity to clearly differentiate from Tai, the applicant has amended claim 1 to simply state that **the fixing means is non-translocatable**. The applicant did not present this amendment earlier because he was not cognizant of this simplification.

Claims 2-4, 6, 8-14, 17-21 are canceled.

Regarding Claim Rejections - 35 USC # 102.

Claim 1 is requested to be re-instated from rejection on the following basis:

The examiner is correct in her comparison of Mackenzie with Brook except for one crucial clause (page 3 of office action): "an air passage between the base (12) and the backrest (14) allowing a flow of air between the inside of the base and the inside of the backrest ...".

In figures 2 and 4 of Mackenzie, the unnumbered seal edge lines between the, separately defined, backrest's interior back compartment 26 and base's interior seat compartment 20 are clearly shown on each side of the pivot line P. The pneumatic separation of the two compartments 20, 26 is further indicated by the provision of two valves 24, 30: one for each compartment and each communicating independently with the ambient atmosphere. Additionally, Mackenzie often mentions independent selective inflation, deflation and "locking" of the two compartments in his specification. At no point in Mackenzie's specification is there any mention of an air passage joining the seat compartment to the backrest compartment.

This air passage is a crucial element of Brook's application because it allows all degrees of inflation and deflation of the backrest without loss of air from the system as a whole. Thus the user does not have to add or remove air to erect or, by degree, recline the backrest; or indeed, to deflate and pack away the backrest inside the base.

In Mackenzie's independent claims (1, 9, 13) the means conjoining the seat portion and the back portion to one another is merely for relative pivotal movement along a pivot axis, or not claimed at all. No claim for an air passage joining the seat and back portions, either through the conjoining means or elsewhere, is made in Mackenzie's claims.

Thus Brook's claim 1 was not anticipated by Mackenzie and rejection on this basis should be withdrawn.

Regarding Claim Rejections - 35 USC # 103

The applicant has argued above that Mackenzie is insufficient as relevant prior art and therefore it is not obvious to combine Mackenzie with Gancy. Nor is it obvious to combine Mackenzie with Tai.

End of Remarks.